

REMARKS/ARGUMENTS

Claims 1-4 remain pending and were examined. Claims 1 and 4 have been amended as noted above. Re-examination and reconsideration of the claims, as amended, are respectfully requested.

The Examiner continues to reject claim 1 and all claims dependent thereon as being anticipated by U.S. Patent No. 5,588,424 to Insler et al. Applicants traverse such rejection in part and overcome such rejection in part.

Applicants believe that the prior amendment to claim 1 that the closure element be "releasably carried" by the sealing catheter clearly and unambiguously distinguishes the teachings of Insler et al. The Examiner, however, asserts that the phrase "releasably carried" means nothing more than that the closure element be "capable of being released or set free." The Examiner takes the position that it doesn't matter that such items may require destruction in order to separate them.

Applicants believe that this position is inappropriate. The phrase "releasably carried by" or similar phrases such as "releasably secured to" have been used in mechanical patent applications for decades and have been routinely accepted as distinguishing structures where two components are not intended to be released or separated.

In an effort to expedite prosecution of the present application, however, Applicants have further amended claim 1 to set forth in greater detail the manner of releasable coupling. In particular, claim 1 has now been amended to recite that the sealing catheter has "a receptacle therein." The claim has further been amended to recite that the closure element is releasably carried "in the receptacle" of the sealing catheter. Such structure is clearly not disclosed in the patent of Insler where the putative sealing element is an inflatable balloon attached to the exterior of the putative sealing catheter, not carried within a receptacle of the sealing catheter.

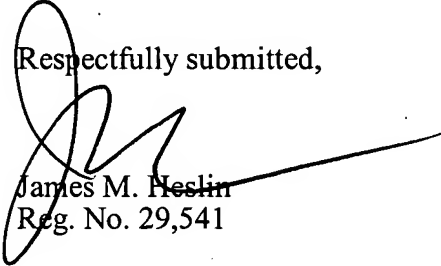
Dependent claim 4 has been amended to correct a typographical error.

CONCLUSION

In view of the above amendments and remarks, Applicants believe that all remaining claims are in condition for allowance and request that the Application be passed to issue at an early date.

If for any reason the Examiner believes that a telephone conference would in any way expedite prosecution of the subject application, the Examiner is invited to telephone the undersigned at (650) 326-2400.

Respectfully submitted,


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